

**Exhibit 20**  
**Letter from John Polito to**  
**Mark Perry,**  
**dated August 16, 2019**

# Morgan Lewis

**John Polito**

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August 16, 2019

## VIA E-MAIL

Mark A. Perry  
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Re: *Oracle USA, Inc. v. Rimini Street, Inc.*, Case No. 2:10-cv-0106-LRH-VCF (D. Nev.)

Dear Mr. Perry:

I write in light of the Ninth Circuit's opinion issued today, ECF No. 1236.

**Modification of June 28, 2019 letter.** Consistent with the Ninth Circuit's opinion issued today, Oracle hereby revises the fourth item on its June 28, 2019 "list describing conduct disclosed in *Rimini II* (including cross-use and cloud hosting) which Oracle contends would violate Judge Hicks' injunction if it continued after the injunction was effective," ECF No. 1232, by withdrawing claims that access to JD Edwards source code that does not also entail copying of JD Edwards source code would violate the Injunction. Oracle amends its fourth item to read:

#### **4. Copying of JD Edwards Source Code**

Oracle contends that Rimini "cop[ies] J.D. Edwards software source code to carry out development and testing of software updates[.]" Injunction ¶ 8 (as modified by the Ninth Circuit's opinion). Rimini regularly copies JD Edwards source code in the course of developing and testing software updates and in the course of installing, configuring, and administering JD Edwards environments. Evidence that Rimini copies JD Edwards source code in violation of the Injunction includes documents, deposition testimony, and discovery responses that show Rimini's copying of source code.

**Withdrawal of five proposed search terms.** In light of the Ninth Circuit's opinion, Oracle withdraws the following proposed search terms:

- RDP
- Remote Desktop\*
- GTM

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- Go To Meeting\*
- GoToMeeting

**Request that Rimini withdraw its objections to Oracle's proposed custodians and search terms.** The Ninth Circuit's opinion re-affirms the validity and appropriateness of the Court's Injunction, as modified. That opinion also highlights the importance of "Rimini's own internal e-mails," which Ninth Circuit relied on in affirming the district court's finding that "Rimini was able to gain increasing market share by offering lower prices for its service than Oracle offered, and that these lower prices were possible because Rimini's infringing conduct saved the company time and money." ECF No. 1236 at 3. In light of the Ninth Circuit's opinion, and as a renewed effort to resolve the parties' custodial production dispute without involving the Court, Oracle requests that Rimini withdraw its pending objections to Oracle's proposed custodians and search terms.

**Request that Rimini agree to a production schedule.** Oracle requests that Rimini agree to complete its production of custodial documents for 3-4 custodians per week, beginning the week of September 2-6 and concluding the week of October 7-11.

Please confirm by 5 p.m. PDT on Monday, August 19 whether Rimini will withdraw its objections and agree to Oracle's proposed production schedule.

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Sincerely,

*/s/ John A. Polito*

John A. Polito

cc: Lauren Blas  
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Joseph A. Gorman  
Samuel Liversidge  
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